HIGH COURT OF UTTARANCHAL AT NAINITAL

First Bail Application No.737 of 2006

CRIMINAL SIDE

1. Anil s/o Ramesh Chand
2. Kanhai S/o Sri Raja Ram
   R/o Hanuman Garhi, Chandausi,
   District Moradabad .....Accused/Applicants

Versus

State of Uttaranchal

.....Opposite Party

Case crime No.1364 of 2006
Under Sections 475, 380 411 I.P.C.
Police Station Kashipur, District –Udham Singh Nagar

Dated: 19.12.2006

By the Court

Hon'ble Rajesh Tandon, J.

The applicants applied for bail in case Crime No.1364 of 2006, Under Sections 475, 380 411 I.P.C., P.S. Kashipur, District Udham Singh Nagar.

Heard Sri Afsar Ali Khan for the accused applicants and learned A.G.A. for the State and perused the record.

According to the prosecution the accused applicants have committed theft of mobile sent and cash amount of Rs. 5,200/- on 6/7.3.2006 after breaking open the shop of Smt. Phoola Devi.

Counsel for the applicants has submitted that the offences punishable under sections 457, 380 and 411 I.P.C. allegedly committed by the applicants are triable by the Magistrate. Keeping in view the period of detention of the applicants in jail and the nature of offence, I am of the opinion that the applicants are entitled to be released on bail.

Let the applicant be released on bail on each of them executing a personal bond and furnishing two sureties each of the like amount to the satisfaction of the Magistrate concerned.

Rajesh Tandon, J.

Dated 19.12.2006
***Dhyani**